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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/590,050

06/07/2007

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EXAMINER

ANWARI, MACEEH

ART UNIT

PAPER NUMBER

2451

NOTIFICATION DATE

DELIVERY MODE

06/16/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/590,050	NAITO ET AL.	
	Examiner	Art Unit	
	MACEEH ANWARI	2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/21/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to communications file on 08/21/2006. Accordingly, **claim(s) 1- 17** are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 1-17** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following language in the subsequent claims is not clearly understood (i.e. is indefinite):

- i. As per claims 1-17:

They are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It appears as if applicant is claiming a specific means and as such it is unclear where the specific structure, material, or acts in support thereof are located in the instant specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ooi (U.S. Pub. No.: 2003/0046402 A1)**, in view of **Kobayashi (2002-078033)** and further in view of **Bautista et al. (hereinafter Bautista, U.S. Pub. NO.: 2003/0107475 A1)**.

6. Regarding **Claim 1**, **Ooi** discloses: a navigation system provided with a navigation apparatus and an external terminal that remotely controls the navigation apparatus, characterized in that:

the navigation apparatus comprises (**Ooi at least in Fig. 1-3 & 7; computer—as a navigation apparatus**):

memory means that stores in advance identification data and a mail address of the external terminal; mail generating means (**Ooi at least in Fig. 1-3 & 7 and par. 95-112; computer with memory, cache memory, RAM and ROM and screen displays IP addresses, stores IP addresses in HDD as an IP address file**);

wherein the mail generating means reads the mail address of the external terminal corresponding to the identification data, and acquires its own IP address, generates a mail that contains this acquired IP address, and sends this mail to the external terminal by using the mail address of the external terminal that has been read (**Ooi at least in Fig. 1-3, 7-8 & 10 and par. 61, 66, 105, 108, 112, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1, and computer 1-2 replying back to electronic mail sent by computer 1-1 through the address—e.g., identification information—provided by computer 1-1 in initial message**).

Ooi discloses the invention as detailed above.

Ooi further discloses a communication program starting up after receiving and opening of IP address file—implying that the communication program was in a non-activated/sleep mode prior to the start up (**Ooi at least in Fig. 1-3, 7-8 & 10 and par. 61, 66, 95, 105-106, 108, 112, 115, 116**).

In the same field of endeavor **Kobayashi** discloses a wake-up means that receives activation data that includes the identification data from the external terminal, and switching to wake-up mode by the wake-up means after receiving activation data (**Kobayashi at least in Abstract; mount units in sleep state, controller reception means set in operation available way, units of the mobile body set in sleep state, receiving external signal and judgment means to determine validity, performance means set in operational available way in response to valid signal**).

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Kobayashi's** teachings of sending a valid external signal to remotely start operations in a mobile unit, with those of **Ooi's** to form a more dynamic and secure system (i.e., by determining the validity of a signal—via a judgment/validation means).

Ooi-Kobayashi disclose the invention as detailed above, and furthermore discloses the starting up of e-mail program 54A (par. 106).

However, **Ooi** does not appear to explicitly disclose compares the identification data stored in the memory means and the identification data included in the activation

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data, and switches the mail generating means from a sleep mode to a wake-up mode when the identification data matches.

In the same field of endeavor **Bautista** discloses compares the identification data stored in the memory means and the identification data included in the activation data, and switches the mail generating means from a sleep mode to a wake-up mode when the identification data matches (**Bautista at least in Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit**).

One of ordinary skill in the art would have been motivated to modify and/or combine the teachings of **Bautista's** activating a messaging receiver by providing the proper address, with the teachings of **Ooi-Kobayashi's** to form a more secure system (i.e., by at least limiting activation/access to messaging receiver to calls with the proper/matching address)..

7. **As per claim 2 Ooi-Kobayashi-Bautista** further disclose: the navigation apparatus comprises: second memory means that stores in advance a fixed IP address of the navigation apparatus itself (**Ooi at least in Fig. 1-3 & 7; computer with memory, cache memory, RAM and ROM**);

wherein the mail generating means reads and acquires the IP address stored in the second memory means. (**Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; computer comprising multiple forms of memory and an IP address file with encrypted IP address. Bautista at least in Fig. 2 & 4 and par. 24; address stored in address memory [215]**).

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One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

8. **As per claim 3 Ooi-Kobayashi-Bautista** further disclose: characterized in that the mail generating means acquires an assigned IP address from external control means that controls the navigation apparatus (**Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1 in encrypted form, IP address file with encrypted IP address and communication program decrypts encrypted IP address and continues communication. Bautista at least in Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit**).

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

9. **As per claim 4 Ooi-Kobayashi-Bautista** further disclose: characterized in that: the mail generating means encrypts the IP address and generates a mail that contains the encrypted IP address (**Ooi at least in Fig. 1-3, 7-8 & 10-11 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1, communication program decrypts encrypted IP address and continues communication. Bautista at least in**

Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit).

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

10. **As per claim 5 Ooi-Kobayashi-Bautista** further disclose: characterized in that: the wake-up means generates a signal directing that a voltage be supplied to the mail generating means in order to wake up the mail generating means when activation data from the external terminal is received (**Ooi at least in Fig. 1-3, 7-8 & 10 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1 in encrypted form, IP address file with encrypted IP address. Bautista at least in Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit).**

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

11. **As per claim 6 Ooi-Kobayashi-Bautista** further disclose: characterized in that: the external terminal comprises: IP address acquiring means that acquires the IP address that the mail generating means has generated; and connecting means that connects to the navigation apparatus based on the IP address that the IP address acquiring means has acquired. (**Ooi at least in Fig. 1-3, 7-8 & 10-11 and par. 105,**

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108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1, communication program decrypts encrypted IP address and continues communication. Bautista at least in Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit).

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

12. **As per claim 7 Ooi-Kobayashi-Bautista** further disclose: characterized in that the external terminal comprises: IP address acquiring means that acquires an IP address from the mail that the mail generating means has generated; and connecting means that connects to the navigation apparatus based on the IP address that the IP address acquiring means had acquired (**Ooi at least in Fig. 1-3, 7-8 & 10-11 and par. 105, 108, 115, 116; communication program, electronic mail program [67A], electronic mail sent to computer 1-2 containing IP address of computer 1-1, communication program decrypts encrypted IP address and continues communication. Bautista at least in Fig. 2 & 4 and Abstract & par. 32 & 37; receiving a call signal, matching selective call address to an address for the communication unit).**

One of ordinary skill in the art at the time of the given invention would have been motivated to modify and/or combine **Ooi-Kobayashi-Bautista**, in the instant claim, for the same reasoning and rationale as in **claim 1**.

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13. As per **claims 9-11, 12-14 & 15-17** they all list the same elements as those detailed in the claims above and are therefore rejected with the same reasoning and rationale.

Examiner Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MACEEH ANWARI whose telephone number is (571)272-7591. The examiner can normally be reached on Monday-Friday 7:30-5:00 PM ES.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.

/John Follansbee/
Supervisory Patent Examiner, Art Unit 2451